

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION**

DIVISION 80 LLC,

Plaintiff,

v.

MERRICK GARLAND, in his official capacity as Attorney General of the United States *et al.*,

Defendants.

Case No. 3:22-cv-00148

District Judge Jeffrey V. Brown

**DEFENDANTS' UNOPPOSED COMBINED MOTION FOR EXTENSION OF TIME TO FILE ADMINISTRATIVE RECORD, AND FOR LEAVE TO FILE ADMINISTRATIVE RECORD IN CONVENTIONAL FORMAT**

Defendants hereby move this Court to extend the time for Defendants to file the administrative record in this case until October 24, 2022. Otherwise, the deadline for filing the administrative record would be October 14, 2022. *See* Scheduling Order, ECF No. 76. Additionally, Defendants respectfully move this Court for leave to file the administrative record conventionally with the Clerk of Court, rather than via Electronic Case Filing (ECF). Defendants have conferred with Plaintiff concerning this motion, and Plaintiff does not oppose the relief sought in this motion.

Good cause exists for Defendants' requested extension of time. The administrative record in this case is tens of thousands of pages in length, and additional time will be necessary to prepare and certify the record. Plaintiff will not be prejudiced by this short extension of time. Additionally, because of the record's substantial length, it will be more efficient and

sensible to file the administrative record with the Clerk of Court conventionally rather than via ECF. Defendants will file with the Clerk of Court a thumb drive or CD-ROM containing a true and correct copy of the administrative record.

Defendants therefore respectfully request that their combined motion for extension of time and for leave to file the administrative record in conventional format be granted. In accordance with this Court's Local Rules, a proposed order is attached.

DATED: October 10, 2022

Respectfully submitted,

BRIAN M. BOYNTON  
Principal Deputy Assistant Attorney  
General

ALEXANDER K. HAAS  
Director, Federal Programs Branch

LESLEY FARBY  
Assistant Director, Federal Programs  
Branch

/s/ Daniel Riess  
DANIEL RIESS  
MARTIN M. TOMLINSON  
TAISA GOODNATURE  
Trial Attorneys  
Civil Division, Federal Programs Branch  
U.S. Department of Justice  
1100 L Street, NW  
Washington, DC 20005  
Phone: (202) 353-3098  
Email: Daniel.Riess@usdoj.gov  
*Attorneys for Defendants*

**CERTIFICATE OF CONFERENCE**

I certify that, on October 4-9, 2022, I conferred with Plaintiff's counsel, who stated that Plaintiff is not opposed to the relief sought in this motion.

/s/ Daniel Riess